



BY HAND

FAPESP 203 NDH/MAS

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#9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Adilson Leite, et al.
Serial No. : 09/870,498
Filed : June 1, 2001
For : ANTIMICROBIAL PEPTIDES AND METHODS FOR
IDENTIFYING AND USING SUCH PEPTIDES

June 21, 2002

Commissioner of Patents
Washington, D.C. 20231

**PETITION TO REVIVE
AN UNINTENTIONALLY
ABANDONED APPLICATION
(37 CFR § 1.137(b))**

S I R:

Applicants hereby petition the Commissioner to revive the above-referenced application, as having been unintentionally abandoned.

Applicants' representative became aware of the abandonment of this application in a telephone conference with Ms. Haywood of the Patent and Trademark Office on June 17, 2002.

The requirements of 37 CFR 1.137(b) are the following:

- (1) a proper reply;
- (2) the petition fee;
- (3) a statement that the entire delay in filing the required reply from the due date for the reply to the filing of a grantable petition pursuant to this paragraph was unintentional, and
- (4) any terminal disclaimer and fee required by 37 CFR § 1.137(b).

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(1) The Proper Reply

The proper reply is a Response to the Notice of Missing Parts dated August 1, 2001 providing a copy of a Declaration/Power of Attorney with a surcharge and a Sequence Listing in both paper and computer readable form. Applicants responded to the Notice on August 29, 2001 by filing the Declaration with the surcharge. Applicants subsequently filed the Sequence Listing in both paper and computer readable form (disk) with a request for a four month extension of time and the requisite fee and a copy of the August 1, 2001 Notice on May 9, 2002.

(2) The Petition Fee

The petition fee for a small entity is \$640. A check in this amount is submitted. Applicants submit concurrently herewith a statement asserting entitlement to small entity status.

(3) The required statement

Applicants hereby declare that the entire delay in filing the required reply from the due date for the reply to the filing of a grantable petition pursuant to 37 CFR § 1.137(b) was unintentional.

(4) Any required terminal disclaimer and fee

None are believed necessary.

Favorable consideration of this petition is requested.

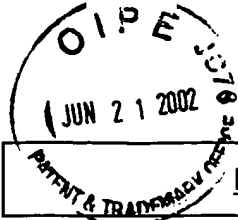
If the Commissioner deems it necessary for applicants to petition for a fifth month extension of time, and pay the requisite fee for a small entity applicants hereby make such a petition. Applicants authorize the Commissioner to deduct any requisite fees associated with these documents from Deposit Account 06-2375.

Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.

By Mary Anne Schofield
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Statement Regarding Small Entity Status

S I R:

The above-identified application is entitled to small entity status.

Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.

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